

(Draft - Awaiting Formal Approval)
**MINUTES OF THE
NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY
APPROPRIATIONS SUBCOMMITTEE**

Room 210 Senate Building
February 11, 2016

Members Present: Sen. David P. Hinkins, Co-Chair
Rep. Mike McKell, Co-Chair
Rep. Kay J. Christofferson, House Vice Chair
Sen. Jim Dabakis
Sen. Margaret Dayton
Sen. Scott K. Jenkins
Sen. Peter C. Knudson
Sen. Ralph Okerlund
Sen. Kevin T. Van Tassell
Rep. Scott Chew
Rep. Susan Duckworth
Rep. Brian M. Greene
Rep. Stephen G. Handy
Rep. Timothy Hawkes
Rep. Lynn N. Hemingway
Rep. Ken Ivory
Rep. Michael E. Noel
Rep. Lee B. Perry
Rep. Marc K. Roberts

Staff: Mr. Ivan D. Djambov, Fiscal Analyst
Mr. Brian Wickle, Fiscal Analyst
Ms. Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair McKell called the meeting to order at 8:05 a.m.

1. Approval of Minutes

Rep. Handy moved to approve the minutes of the January 28, 2016 meeting. The motion passed unanimously with Sen. Dabakis, Sen. Hinkins, Sen. Van Tassell, Rep. Duckworth, Rep. Greene, Rep. Hawkes, Rep. Ivory, Rep. Perry, and Rep. Roberts absent for the vote.

2. School and Institutional Trust Lands Administration

Mr. David Ure, Director, School and Institutional Trust Lands Administration (SITLA), introduced Ms. Lisa Schneider, Financial Manager, and Mr. Kim Christy, Deputy Director. Three additional items to add to the Base Budget for FY 2017 were addressed by Ms. Schneider and Mr. Christy:

- (a) \$5,000,000 one time - adding infrastructure of water tanks and pipeline in Washington County;
- (b) \$300,000 one time - land exchanges;
- (c) \$46,300 one time - clarify status of roads running to and through state lands.

Chair Hinkins assumed the chair.

Ms. Schneider requested an additional action to shift \$69,600 from the SITLA operating line item to the stewardship line item.

3. Requests for Appropriation:

- \$175,000 - Bike Utah Clean Air Kids, Sen. Weiler: Training program for youth ages 10-14. Mr. Phil Sarnoff, Executive Director, Bike Utah, provided a handout, "Bike Utah Clean Air Kids," and spoke in support of the appropriation.
- \$250,000 one time - Air Quality Research, Rep. Redd: Study and evaluate leak problems in the Uintah Basin. Mr. Bryce Bird, Director, Division of Air Quality, distributed a handout, "Division of Air Quality 2016-2017 Research Proposal," and spoke in support of the appropriation.
- \$1,250,000 - Sage Grouse Ongoing Contract, Sen. Van Tassell.
- \$400,000 - Wolves Contract Extension, Rep. Noel: Effort to exclude introduction of the Mexican Wolf into the State of Utah from surrounding states.
- \$90,000 - State Sensitive Species Botanist, Rep. Ivory: Increase capacity to address upcoming listings of plants in an effort to protect private land owners and those who use public lands. Mr. Henry Maddux, Director, Sensitive Species, Department of Natural Resources, spoke in support of the appropriation.
- \$500,000 Rural Utah Alliance, Rep. Westwood: Seed money to make sure there are sufficient resources available to Utah county commissioners with regard to legal advice while in the process of carrying out their duties to protect the health, safety and welfare of their citizens. Rep. Westwood introduced Mr. Peter Sterna, Rural Utah Alliance, and Commissioner Mike Whitney, Beaver County, who spoke in support of the appropriation.

4. Final Voting

Mr. Djambov distributed the following documents: "Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee 2016 General Session Voting Packet" and "Summary of Requests for Appropriations with Descriptions." He explained the voting procedures.

MOTION: Rep. McKell moved to approve the federal funds requested by the agencies, as presented by the Fiscal Analyst on February 1, 2016 in a document titled New Federal Funds that can be found on our subcommittee's webpage under "Related Links." The motion passed unanimously.

MOTION: Rep. Christofferson moved to approve the fees for the agencies in this subcommittee as presented by the Fiscal Analyst on February 5, 2016 that can be found on our subcommittee's webpage in "Related Links" under Fee Bill (HB0008) with the following addition:

For the Department of Agriculture and Food, Agriculture Inspection, add the following line:

Good Agricultural Practices (GAP) Inspection (per hour) Federal rate

The motion passed unanimously with Sen. Knudson, Sen. Okerlund, and Rep. Noel absent for the vote.

MOTION: Sen. Jenkins moved to request the Legislative Audit Subcommittee authorize the Legislative Auditor General to conduct a follow-up audit evaluating the accuracy of the state's water-use data and issue a report before the 2018 General Session. The motion passed with Rep. Hawkes and Rep. Perry voting against the motion. Sen. Knudson, Sen. Okerlund, Rep. Duckworth, and Rep. Noel were absent for the vote.

Rep. McKell introduced a motion to approve uses of previously appropriated funds for the Public Lands Policy Coordinating Office (PLPCO) as follows:

1. Redirect General Fund appropriated in the 2015 General Session for RS 2477 lawsuits (\$500,000 ongoing and \$1,350,000 one-time) to general operations of the office.
2. Redirect General Fund appropriated in the 2015 General Session for RS 2477 projects (\$2,000,000 one-time) to also include RS 2477 lawsuits.

MOTION: Following discussion, Rep. Ivory moved to approve the use of the funds previously appropriated to PLPCO as indicated. The motion passed with Rep. Duckworth and Rep. Hemingway voting against the motion. Sen. Dabakis was absent for the vote.

MOTION: Sen. Jenkins moved to approve reallocations within the Department of Environmental Quality, as shown on p. 3 of the voting packet:

1. Move the Waste Isolation Pilot Plant contract funding from the Division of Waste Management and Radiation Control to the Division of Environmental Response and Remediation.
2. Move the Radon Grant funding from the Division of Waste Management and Radiation Control to the Executive Director's Office.

The motion passed unanimously with Sen. Dabakis, Sen. Knudson, Sen. Okerlund and Rep. Noel absent for the vote.

MOTION: Rep. Perry moved to approve the requests for funding from non-General Fund sources as provided on p. 4 of the voting packet. The motion passed unanimously with Sen. Dabakis, Sen. Knudson, Sen. Okerlund, and Rep. Noel absent for the vote.

MOTION: Rep. Perry moved to remove from line 26, Utah State University Soybean Growth Study, on the General Fund Increases, Priority List for EAC and replace it with Utah's Own. The motion passed unanimously with Sen. Dabakis, Sen. Knudson, Sen. Okerlund and Rep. Noel absent for the vote.

MOTION: Rep. Perry moved to request the chairs ask the Executive Appropriations Committee to consider funding of line 16 on the General Fund Increases, Priority List for EAC, Water Conservation and Research Initiative, from the Education Fund. The motion passed unanimously with Sen. Dabakis, Sen. Knudson, Sen. Okerlund, and Rep. Noel absent for the vote.

MOTION: Rep. Handy moved to move line 27, Bonneville Shoreline Trail, to line 20. The motion failed with Rep. Duckworth, Rep. Handy, and Rep. Hemingway voting in favor of the motion.

Sen. Dabakis, Sen. Knudson, Sen. Okerlund, and Rep. Noel absent for the vote.

MOTION: Rep. Perry moved to approve the General Fund Increases, Priority List for EAC as displayed. The motion passed unanimously with Sen. Dabakis, Sen. Knudson, Sen. Okerlund, and Rep. Noel absent for the vote.

MOTION: Rep. McKell moved to approve the prioritized list of General Fund Reallocation items as presented in Section B on p. 6 of the voting packet. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote.

MOTION: Sen. Van Tassell moved to approve adjustments of funding regarding "DEQ, Attorney General Funding: Technical Correction" as shown in Section C on p. 6 of the voting packet. The General Fund portion was included in the General Fund Reallocation table on p. 6, Section B, line 1. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote.

MOTION: Rep. McKell moved to add to the intent language that the \$350,000 for prairie dog management being requested from the General Fund be nonlapsing. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote.

MOTION: Rep. Perry moved to add language for item 7, on p. 8 of the voting packet, Wildlife Resources, to read: Under the terms of 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Wildlife Resources line item in Item 7, Chapter 8, Laws of Utah 2015, shall not lapse at the close of FY 2016. Expenditures of these funds are limited to: projects funded from the Mule Deer Protection Restricted Account \$200,000; projects funded from the Predator Control Restricted Account \$200,000; and prevent aquatic invasive species spread into Bear Lake \$200,000, with at least \$100,000 to be spent on check stations for boats entering Bear Lake Valley, boat decontamination, public education, and related activities. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote.

MOTION: Rep. Ivory moved to include intent language as follows: The Legislature intends that the State Sensitive Species Botanist be funded through the Education Fund and Utah State University. The Legislature further intends that the employee be housed in the Department of Natural Resources. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote.

MOTION: Rep. Ivory moved to approve the legislative intent language as amended. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote.

MOTION: Sen. Jenkins moved to adjourn. The motion passed unanimously with Sen. Knudson and Sen. Okerlund absent for the vote. Chair Hinkins adjourned the meeting at 9:30 a.m.

Sen. David Hinkins, Chair

Rep. Mike McKell, Chair

